

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCUS ANDRE DODD,
Plaintiff,

v.

MY SISTERS' PLACE, INC., et al.,
Defendants.

ORDER

21 CV 10987 (VB)

11-7-22

On December 21, 2021, plaintiff, proceeding pro se and in forma pauperis, commenced this action against My Sisters' Place ("MSP"), as well as individual members of MSP's Board of Directors and its employees. (Doc. #2).

On April 5, 2022, counsel for defendant MSP and certain individual defendants filed a notice of appearance. (Doc. #31).

On April 27, 2022, plaintiff filed an amended complaint, naming two additional defendants: Hilary Tuohy, improperly named as Hilary Touhy, and Linda Purvis. (Doc. #37; see also Doc. #49, at 1 n.1).

On April 28, 2022, the Court entered an Order of Service directing the U.S. Marshals Service to effectuate service on Tuohy and Purvis and extending plaintiff's time to serve under Rule 4(m) to 90 days after the date summonses were issued. (Doc. #39).

Summonses for Tuohy and Purvis were issued on April 29, 2022. (Doc. #40). Accordingly, plaintiff's deadline to serve Tuohy and Purvis was July 28, 2022.

On August 3, 2022, plaintiff requested an extension of time to serve Tuohy and Purvis. (Doc. #58). On September 1, 2022, the U.S. Marshals Service docketed Return of Service Unexecuted forms as to Tuohy and Purvis (Docs. ##59, 60).

Accordingly, it is hereby ORDERED:

1. By November 21, 2022, counsel for MSP shall ascertain the addresses where defendants Tuohy and Purvis may be served, and provide this information to plaintiff and to the Court. MSP's counsel's submission shall also state whether counsel is willing to accept service on behalf of Tuohy and Purvis.
2. Once MSP's counsel has provided this information, the Court will, if necessary, issue an order directing the Clerk of Court to complete the U.S. Marshals Service Process Receipt and Return form with the addresses for Tuohy and Purvis and deliver all documents necessary to effect service to the U.S. Marshals Service.

3. To allow additional time for the U.S. Marshals Service to effect service on Tuohy and Purvis, plaintiff's time to serve under Rule 4(m) is extended to February 6, 2023.

Dated: November 7, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge